

## **Appendix A**

### **Wyoming Game and Fish Department Letter**

# WYOMING GAME AND FISH DEPARTMENT

Dave Froendshal, Governor



Terry Cleveland, Director

*"Conserving Wildlife - Serving People"*

June 17, 2004

WER 9081.04  
Questar Winter Drilling Proposal  
Pinedale Anticline Project Area  
Sublette County

Priscilla E. Mecham  
Pinedale Field Office Manager  
Bureau of Land Management  
Box 768  
Pinedale, WY 82941-0768

Dear Ms. Mecham:

This is in reply to your letter of June 14, 2004 requesting information on the assumptions and criteria our Department used in offering support for Questar's proposal for year-round drilling on their leases on the Pinedale Anticline, and the criteria we would use to evaluate future proposals.

Year-round drilling would, if approved, allow winter drilling on crucial deer winter range and drilling on occupied sage grouse habitats during the breeding and nesting seasons. Normally, we would recommend implementing seasonal stipulations that would require avoidance of disturbances to those species and their habitats during those seasons. These seasonal stipulations, over the years, have become a standard or default recommendation we make in the absence of proposals that would provide more benefits to those species. The seasonal stipulations are good conservation measures and are valuable. However, though used widely and often in the past, they cannot be considered as exclusive approaches to species conservation and management, and are certainly not considered as providing the best or most comprehensive benefits for those species. They are, in truth, the best we have usually been able to get implemented over the years.

Questar's proposal offers an alternative to the standard seasonal stipulations that our Department feels will be more beneficial to wildlife. Instead of avoiding areas during the sensitive seasons, their proposal involves drilling during those periods, but also offers the benefits of a significant decrease in total animal and habitat disturbance for deer and sage grouse, and also for all fish and wildlife during both development and production of their leases. The benefits being offered include:

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- centralized production areas, due to directional drilling from fewer well pads, which allows piping of condensate and water and the elimination of up to 25,000 truck trips onto the Mesa each year, throughout the year, during the projected 60+ years of production,
- a significant decrease in total habitat disturbance and fragmentation during development (from about 1500 acres to about 500 acres) due to the decrease in well pads, and reclamation of about 250 of those acres immediately after development,
- decreased field development time (from 18 years to 9 years), which is when human activity and animal disturbance are greatest,
- decreased dust, which lowers the useability and habitat function of nearby vegetation, and decreased erosion potential to downslope streams, both due to a decrease in miles of roads, traffic, pad acreages, and other associated surface disturbances, and
- responsiveness to our Department's requests for specific siting of future well pads for the purpose of avoiding sage grouse leks or other identified key habitat areas or features.

In addition, Questar has offered to do voluntary off-site or compensation mitigation in the form of vegetative habitat improvement, on a 3:1 acreage basis (3 acres of habitat improvement for every acre of impacted habitat). This would decrease the impacts of habitat destruction by drill pads and roads by improving adjacent habitat for displaced animals. Vegetation treatments would begin immediately upon BLM approval, and are proposed to begin before the remaining surface disturbance from drilling has begun, thus reducing the lag time for the beneficial effects of mitigation to be realized.

Also, Questar has committed to continuing and expanding the current winter deer research to determine impacts of their proposed level of winter drilling. This will be valuable monitoring data that can be used for describing and quantifying the effects of this and other potential future proposals.

If Questar's proposal is implemented, the function of fish and wildlife habitat, and thus fish and wildlife benefits, will clearly exceed those realized by applying only the seasonal stipulations.

Under the current ROD and seasonal stipulations, small acreages used by the drill pads on seasonal habitat would be protected during part of each year, but those acreages could be drilled during the rest of the year. This means the seasonal protections are very temporary for deer or sage grouse (once drilling is approved for an area, protection would only be for one winter or breeding season). Questar's proposal would result in the long-term benefit of decreasing the total habitat acres impacted, due to less well-pads needed, as well as voluntarily avoiding key habitat areas like lek sites. The proposal also offers the very significant benefit of less total year-round animal disturbance during the 60+ year production phase, due to elimination of year-round truck traffic. These benefits, in total, would greatly outweigh the benefits of preventing drilling for one season of one year.



The seasonal stipulations, it must be remembered, are only for the development phase. Once production starts, and it is estimated to continue for 60+ years on Questar's leases, the seasonal stipulations do not apply. In total, then, if several decades of significant year-round production disturbance can be avoided by allowing a one-year seasonal disturbance during development, the benefits to wildlife are much greater.

#### ASSUMPTIONS

When evaluating this type of proposal, we assume we will have already been involved in previous steps leading to a BLM decision to allow development, such as input into leasing, activity planning, and other land use decisions. Once the development decision has been made, and industry proposals are submitted, then we would be at the point of helping BLM evaluate proposals concerning how the development would proceed.

For Questar's proposal, we assume the proposal will, if approved, be implemented in its entirety. Our approval of the proposal, and our support during the NEPA analysis, is obviously contingent on realization of all fish and wildlife components, as the lack of one or more components may negate the benefits of others, and thus the overall proposal.

#### CRITERIA AND CONSIDERATIONS

The core criterion for consideration of proposals, from Questar or other companies, is habitat function. The two main considerations for providing habitat function in the face of these developments are animal disturbance and habitat disturbance. Questar has been able to offer a proposal that effectively minimizes animal disturbance, minimizes habitat destruction, mitigates the unavoidable losses, and monitors the results of their actions on animals and habitats. They have provided the benefits available to them to practicably provide, and have presented a complete proposal that should be used as an example by anyone expecting serious consideration of other proposals.

Questar's proposal is supported, and actually made possible, by the geology of their leases, their ability and willingness to directionally drill, the physical locations of their leases in relation to each other, the profitability of their leases, and so on. These items will vary among companies, often for reasons beyond their control, and thus other companies may not be in position to offer a similar proposal. This may eliminate their ability to provide the needed habitat function benefits.

It is also possible that an area where several companies hold leases could get developed in a short enough time that, while habitat function of individual lease-holdings can be adequately maintained, the cumulative impacts of many leases developed concurrently would negate meaningful benefits. As an example, if a large area containing several sage grouse leks were developed at the same time, companies may have to closely coordinate where each places their well pads in order to adequately maintain the functional use of the total area for the birds. The absence of a coordinated effort could effectively result in a cumulative impact to sage grouse that

Ms. Priscilla Mecham  
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we could not support, and we would be forced to either oppose the developments or ask for other alternates that would better maintain the area's functionality for the birds.

We realize the precedents that may be set with Questar's proposal, and that unforeseen issues may arise in the future with other similar proposals. However, we believe Questar's proposal is both beneficial and progressive in approaching the issues that need to be addressed for intensive oil and gas development in the Pinedale Field Office area, and in other areas of Wyoming. It is a good, positive proposal to use as a starting point for dealing with multiple-use issues in a solution-based manner. We would be happy to continue discussions with you regarding this proposal or approaches to future proposals.

Sincerely,

A handwritten signature in cursive script that reads "Bill Wichers".

BILL WICHERS  
DEPUTY DIRECTOR

BW:VS:as

cc: Don Simpson  
Alan Rabinoff